

Sadly, rather than engage in the normal legislative process that would allow my colleague, the Presiding Officer from Maine, who may have a different view from mine, and others to debate and vote on these issues and make policy so we can be held accountable for what we do, the President has decided to skirt the legislative process and instead rely on unaccountable bureaucrats to enact measures that would never pass through Congress. Yet the idea of this President is: I have a phone and a pen, and I can go it alone. He can do it by himself.

Well, he can't. Our Constitution does not allow that. Sooner or later the American people are going to hold folks accountable for enabling this sort of unilateral activity. In my view this is an unforced error that will damage our economy, hurt our workers, and raise the cost of living for middle-class families and those on a fixed income.

I find it astonishing that this misguided regulation is being considered now when our economy is growing so slowly and so many people are out of work or have left the workforce, and the median household income is down, yet costs for health care, food, gasoline, and other commodities are going up.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHANNIS. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### NOMINATION OF KEITH M. HARPER FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE U.N. HUMAN RIGHTS COUNCIL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Keith M. Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the U.N. Human Rights Council.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided and controlled in the usual form prior to a vote on the motion to invoke cloture on the Harper nomination.

Who yields time?

Mr. JOHANNIS. We yield back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

Pursuant to rule XXII, the clerk will report the motion to invoke cloture.

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Keith M. Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the U.N. Human Rights Council.

Harry Reid, Robert Menendez, Patrick J. Leahy, Elizabeth Warren, Barbara A. Mikulski, Jack Reed, Richard Blumenthal, Carl Levin, Christopher Murphy, Kirsten E. Gillibrand, Sheldon Whitehouse, Patty Murray, Thomas R. Carper, John D. Rockefeller IV, Jeff Merkley, Richard J. Durbin, Benjamin L. Cardin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on nomination of Keith M. Harper, of Maryland, for the rank of Ambassador during his tenure of service as United States Representative to the U.N. Human Rights Council shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Vermont (Mr. LEAHY), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Colorado (Mr. UDALL), and the Senator from Montana (Mr. WALSH) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Illinois (Mr. KIRK), the Senator from Utah (Mr. LEE), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Arkansas (Mr. BOOZMAN) would have voted "nay."

The PRESIDING OFFICER (Mr. DONNELLY). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 37, as follows:

[Rollcall Vote No. 164 Ex.]

#### YEAS—51

Baldwin	Feinstein	Manchin
Begich	Franken	Markey
Bennet	Gillibrand	McCaskill
Blumenthal	Hagan	Merkley
Boxer	Harkin	Mikulski
Brown	Heinrich	Murphy
Cantwell	Heitkamp	Murray
Cardin	Hirono	Nelson
Carper	Johnson (SD)	Pryor
Casey	Kaine	Reed
Collins	King	Reid
Coons	Klobuchar	Rockefeller
Donnelly	Landrieu	Sanders
Durbin	Levin	Schatz

Schumer  
Shaheen  
Stabenow

Tester  
Udall (NM)  
Warner

Warren  
Whitehouse  
Wyden

#### NAYS—37

Alexander  
Ayotte  
Barrasso  
Blunt  
Burr  
Chambliss  
Coats  
Coburn  
Corker  
Cornyn  
Crapo  
Cruz  
Enzi

Fischer  
Flake  
Graham  
Grassley  
Hatch  
Heller  
Hoeven  
Inhofe  
Isakson  
Johanns  
Johnson (WI)  
McCain  
McConnell

Moran  
Murkowski  
Paul  
Portman  
Risch  
Roberts  
Scott  
Sessions  
Shelby  
Thune  
Wicker

#### NOT VOTING—12

Booker  
Boozman  
Cochran  
Kirk

Leahy  
Lee  
Menendez  
Rubio  
Toomey  
Udall (CO)  
Vitter  
Walsh

The PRESIDING OFFICER. On this vote the yeas are 51, the nays are 37. The motion is agreed.

The Senator from California.

Mrs. BOXER. Mr. President, what is the order of business?

The PRESIDING OFFICER. We are postcloture on the nomination.

Mrs. BOXER. Mr. President, I ask unanimous consent to address the Senate on a couple of important topics for up to an hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GUN VIOLENCE

Mrs. BOXER. Mr. President, I come to the floor tonight heartbroken at the loss of 6 young people and the injuries to 13 more after a devastating gun violence tragedy that occurred on May 23 in the Isla Vista community near Santa Barbara.

As a mother, grandmother, and Senator representing the most unbelievable State in the Union, this latest mass shooting shook me to the core. I was struck by this simple fact: No one is safe in America anymore. No one is safe in America anymore—not in their schools, not in a movie theater, not in their workplace, not in their home, and not on a beautiful college campus overlooking the Pacific Ocean where the victims of this latest horrific attack were busy pursuing their dreams.

I am going to show the faces of the students we lost. Christopher Ross Michaels-Martinez, 20 years old, from Los Osos/Oceano, CA. He was an English major who served as a resident adviser in a campus dorm while maintaining a 4.0 GPA. He was planning to study abroad in London next year, and he dreamed of going to law school like both of his parents. His cousin Jaime described Chris as "smart, gentle, and kind," but with a competitive spirit he showed on the basketball court. His high school basketball coach said, "he was a coach's dream. He was a team player, he had a great attitude and he was a hard worker who would stay after practice and work on his shots." His father Richard said:

Chris was a really good kid. Ask anyone who knew him. His death has left our family lost and broken.

Veronika Elizabeth Weiss, 19, from Thousand Oaks. She loved sports and